



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 19, 2015

BY E-MAIL & ECF

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
United States Courthouse
New York, New York 10007

**Re: United States v. Danny Kuo
12 Cr. 121 (RJS)**

Dear Judge Sullivan:

The Government writes respectfully in connection with the sentencing date for the defendant Danny Kuo.

On January 30, 2015, the Court granted the parties' application to adjourn sentencing until the resolution of the Government's petition for rehearing and rehearing en banc in United States v. Todd Newman and Anthony Chiasson. The Government's petition was denied on April 3, 2015. Although the parties have been in regular communication about Kuo's case, the Government failed to advise the Court at that time, in connection with a request for further time in Kuo's case, that we had undertaken consideration of whether to petition for certiorari in the Newman case. That process is still underway, and earlier this week, the Supreme Court adjourned the deadline to August 1, 2015 for any certiorari petition the Government may file.

Accordingly, the parties request that the Court permit the parties to report within 30 days either of the Government's filing

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or decision not to file with our views as to how to proceed in Kuo's case.

Respectfully submitted,

PREET BHARARA
United States Attorney

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cc: Roland G. Riopelle, Esq. (via ECF and email)